



ONLINE PORTAL FOR PROTECTIVE ORDERS

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AZPOINT Overview

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- ▶ Effective January 1, 2020
- ▶ Series of changes in law, court rules, and process to facilitate easier creation and service of Orders of Protection (OOP)
 - Court assigns OOPs for service to law enforcement or constables
 - Serving agent must:
 - Report service to court within 72 hours
 - Contact petitioner if OOP is not served within 15 days of issuance

AZPOINT Overview

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- Arizona Supreme Court maintains the central repository for protective order data (CPOR)
- Court-centered responsibility to transmit data on served protective orders to NCIC
- ▶ Goals
 - Automate the protective order system
 - Create legible, complete Petitions
 - Increase number of served OOPs
 - Expand number of OOPs entered into NCIC

AZPOINT Online Portal for Protective Orders

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Petition Portal

Petitioner creates
Petition for Protective
Order through guided
interview



Clerk Portal

When ready to file,
Petitioner contacts
Clerk of Court with
petition number; ex
parte hearing



Service portal

Service of court-
issued OOP or
Injunction

Court Protective Order Repository (CPOR)

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- Holds statewide data regarding petitions filed, withdrawn, granted, denied
- Assigns service only for Orders of Protection
- Transmits protective order data to NCIC

Protective Orders: A Brief Journey in History

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- ▶ Orders of Protection: A.R.S. §13-3602
 - ▶ Emergency Order of Protection: A.R.S. §13-3624
 - ▶ Injunction Against Harassment: A.R.S. §12-1809
 - ▶ Injunction Against Workplace Harassment: A.R.S. §12-1810
-
- ❖ Procedure governed by Rules of Protective Order Procedure

Orders of Protection: §13-3602 & Rule 23

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- ▶ **Relationship + DV = OOP**
- ▶ May be granted to prevent a person from engaging in acts of domestic violence.
- ▶ Limited to parties with special relationships. (A.R.S. §13-3601(A))
 - ▶ Married or formerly married, reside(d) together, child in common, related (parent, grandparent, brother/sister & other), current or previous romantic or sexual relationship.
- ▶ Judge must find “reasonable cause to believe that the defendant may commit an act of domestic violence or has committed an act of domestic violence within the past year...” (Rule 23(e)(1)).

Injunction Against Harassment: ARS §12-1809 & Rule 25

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- ▶ **No Special Relationship + Series of Harassing Events = IAH**
- ▶ May be granted to prevent a person from committing acts of harassment against another.
- ▶ NO special relationship required.
- ▶ Plaintiff must show reasonable evidence that the defendant has committed a series of acts of harassing events or at least one act of sexual violence (A.R.S. §23-371) against the plaintiff during the preceding year, OR
- ▶ That good cause exists to believe that great or irreparable harm would result to the plaintiff if the injunction is not granted.

Injunction Against Workplace Harassment: §12-1810 & Rule 26

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- ▶ **Workplace+ One Harassing Events = IAWH**
- ▶ Employer can seek court order to prevent another from being on the employer's premises and from committing acts of harassment against the employer, the workplace, employees, or any other person who is on the employer's property or at the place of business or who is performing official work duties.
- ▶ Plaintiff must show reasonable evidence of workplace harassment by the defendant during the preceding year, OR
- ▶ That good cause exists to believe that great or irreparable harm would result to the plaintiff, or to another person who enters the plaintiff's property...if the injunction is not granted...

For all Orders of Protection / Injunctions Against Harassment:

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- ▶ Plaintiff sees judge “expeditiously” - judicial officer must make priority over all other matters.
- ▶ Most issued *ex parte*.
- ▶ Defendant entitled to one hearing to contest order. Plaintiff’s burden of proof = preponderance of the evidence.
- ▶ Stays in place for one year following service unless dismissed after a contested hearing.
- ▶ Can be issued by any court in the state.
- ▶ Take priority over other existing orders, including parenting time orders.
- ▶ Cannot contain provisions regarding legal decision-making or parenting time.



Arizona Protective Order Initiation & Notification Tool

www.azpoint.azcourts.gov

Welcome to AZPOINT

Welcome to AZPOINT, the Arizona Protective Order Initiation and Notification Tool. Through an interview in this portal, you can quickly fill out the forms that you need to ask for an Order of Protection at an Arizona court. IMPORTANT: There is NO FEE to use AZPOINT. AZPOINT is made available to the public by the Arizona Judicial Branch, in partnership with the Arizona Criminal Justice Commission.

An Order of Protection is a court order that is issued to stop a person from committing domestic violence or from contacting other people protected by the order. The portal will also help you figure out whether you (the plaintiff) and the person from whom you are seeking protection (the defendant) have a qualifying relationship for an Order of Protection. *

You may also use this portal if you're asking for protection on behalf of another person--either (1) a minor of whom you are the parent, guardian, or legal custodian or (2) an adult who is temporarily or permanently unable to request an order.

Use the Safety Button in this website to quickly go to a different screen within your browser window. The Safety Button action logs you out of this website and loads a Google search page within your browser.

Note: The browser's back button and browser history remain in the browser window. Please read and follow tips and suggestions found within the [F.A.Q. section regarding online safety](#) and methods such as ["incognito" or safe browsing options](#).



Features

- Hover help
- Safety button

Additional Features

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- Guided interview
- Document completion— Plaintiff Information Sheet, Petition, Service of Process Information form
- Petition confirmation number
- Not an e-filing system; evidence cannot be attached.

- Petition docs stored for up to 90 days to allow for editing
- User's account remains active, but petitions are purged after 90 days of inactivity
- Stored in AOC's Central Case Registry until the plaintiff requests action on a petition
- Court cannot access petition information until user provides petition confirmation number



[Home](#)

[Create Account](#)

[Account Login](#)

[Getting Started](#) ▼

[Help](#) ▼

Live tour of AZPOINT homepage

Let's start a Petition!

Get Started

FILING THE PETITION



- ✓ Petition documents are stored for up to 90 days to allow for editing
- ✓ Stored in CPOR until Petitioner request action on a petition
- ✓ After 90 days, user's account remains active, but petitions are purged
- ✓ Court cannot access petition information until user provides petition confirmation number

Court Process

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1. When ready, Petitioner contacts clerk of court; provides petition confirmation number

2. Court clerk logs into AZPOINT Clerk portal; enters Petition confirmation number (can also search by name or DOB)

3. Clerk accepts and prints Petition documents

4. Case is created in court case management system

5. If paper filing, will use alternative method to transfer into EDMS for transmission to CPOR

6. Ex parte hearing is set; virtual hearings during COVID

SERVICE

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Orders of Protection

- CPOR assigns service to law enforcement agency or constable
- Serve within 72 hours
- No fee for service

Injunctions Against Harassment

- Petitioner must arrange for service within 1 year of issuance
- Serving agent can charge fee (unless dating relationship or sexual violence)
- AZPOINT portal used to submit proof of service to court

Service of Order of Protection

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1. After ex parte hearing, case management system is updated; transmits data to AOC Central Case Registry (CCR) in near real time

2. CCR transmits data to CPOR

3. If OP has been granted, CPOR transmits data to the AZPOINT Servicing Agency portal within 72 hours

4. CPOR assigns service to a law enforcement agency or a constable, depending on defendant's location and issuing court

5. Servicing Agency portal uses document keys to recreate petition and OP for service on the defendant

6. If Order of Protection is not served within 15 days, the serving agency must notify the Petitioner and continue service attempts

**INJUNCTION
AGAINST
HARASSMENT
(IAH)
OR
WORKPLACE
HARASSMENT
(IAWH)**

Plaintiff must arrange for service;
pay fee (unless dating
relationship or sexual violence).

Server must file proof of service
with the court within 72 hours via
Service Portal.

AZ Supreme Court is central
repository; will register served IAH
with NCIC.

**How can law
enforcement and
victim advocates
help?**

Spread the word to the public about AZPOINT

- ✓ Using AZPOINT avoids trip to courthouse during COVID-19 pandemic
- ✓ Gives victim time to prepare documents thoroughly and accurately
- ✓ Allows data to be transmitted quickly from courts to CPOR to law enforcement and constables and back again

Ensure that victims are aware that OPs will go out for service quickly

- ✓ Encourage victims to make safety plans



Data: January-August 2020

			CPOR received from AZPOINT									CPOR received on paper												
	AZP petitions created	Court ready for filing	Granted, served				Granted, unserved				Total			Granted, served				Granted, unserved				Total		
			OP	IAH	WH		OP	IAH	WH					OP	IAH	WH		OP	IAH	WH				
Jan	3,117	1,751	766	165	12		193	117	8		1,261			716	141	6		207	144	13		1,227		
Feb	3,054	1,719	833	206	8		186	117	5		1,355			658	161	11		198	134	6		1,168		
Mar	3,335	1,825	828	210	11		208	107	8		1,372			670	133	8		199	135	4		1,149		
Apr	4,400	2,013	936	219	13		206	103	8		1,485			391	96	3		98	64	3		655		
May	3,575	1,914	853	192	7		212	118	13		1,395			443	102	1		157	97	7		807		
Jun	3,941	2,218	926	232	11		275	163	8		1,615			523	109	1		179	120	5		937		
Jul	4,167	2,310	964	209	8		304	165	4		1,654			439	140	4		240	107	3		933		
Aug	4,377	2,391	952	209	9		315	204	14		1,703			488	114	4		195	135	3		939		
	29,966	16,141	8,779				3,061				11,840			5,362				2,453				7,815		

AOC will continue working on enhancements to AZPOINT

- ✓ Spanish translation
- ✓ Feature to allow serving agent to add notes about service attempts
- ✓ Plaintiff notification system

If your client wants to apply for an Order of Protection

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- ▶ Assist with the guided interview in the AZPOINT petition portal.
- ▶ Help the client obtain a new email address if necessary.
- ▶ Discuss—
 - ▶ Computer safety
 - ▶ Whether email or text notifications are safe for the client
 - ▶ Risk of saving a password on a device or computer
- ▶ Legal advocates can help draft the allegations.



Finding a victim advocate

- [Arizona Coalition to End Sexual and Domestic Violence](#)
[602-279-2900](tel:602-279-2900), [800-782-6400](tel:800-782-6400), TTY [602-279-7270](tel:602-279-7270)
- [National Domestic Violence Hotline](#)
[800-799-7233](tel:800-799-7233)
- [Domestic Shelters](#)
- [800-656-HOPE](tel:800-656-HOPE) (4673)

Getting help with your case

Only an attorney who is licensed in Arizona can give you legal advice. To find an attorney, contact:

- AZLawHelp.org
- [State Bar of Arizona](#)
[602-252-4804](tel:602-252-4804)

Find more resources at...

- [Address Confidentiality Program](#), Arizona Secretary of State
- [Arizona Bar Foundation](#)
- AZCourtHelp.org
- Booklet: [Things You Should Know About Protective Orders](#)
- [myPlan](#) (safety plan assistance)